S.B. Criminal Misc. Bail Application No.6347/2006
Bhero Lal and others Vs. State of Rajasthan

Date Of Order :: 9.11.2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. Biri Singh, counsel for petitioners.
Mr. R.P. Kuldeep, Public Prosecutor for State.

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Heard learned counsel for accused petitioners, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

Learned counsel for accused petitioners does not press the bail application of Bhero Lal, Brij Mohan and Lakhan Bai since they have been arrested and on behalf of rest of the accused petitioners Ramcharan and Jagni it is submitted that they have falsely been implicated in this matter. It is also submitted that except the offence under section 452 IPC all other offences are bailable in nature and a cross FIR has also been registered against the complainant party for the offence under section 376 (5)(11) and 452 IPC.

Learned Public Prosecutor opposed the bail application.

Without making any observation on merits, having considered the rival submissions made at the bar, nature of accusation, material on record and all other facts and circumstances, I deem it proper to grant the benefit of pre-arrest bail to accused petitioners Ramcharan and Jagni.

In the result, the bail application of Bhero Lal, Brij Mohan and Lakhan Bai is dismissed as having become infructuous and that of the accused petitioners Ramcharan and Jagni is allowed and it is directed that in the event of arrest of petitioners Ramcharan S/o. Sarvan and Jagni W/o. Bhero Lal, they shall be released on bail by the concerned SHO/Investigating Officer in FIR No.132/2006 registered at Police Station Mandrayal, District Karauli provided each of them furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to his satisfaction on the following conditions:-

1. that the petitioners shall make themselves available for interrogation by a police officer as and when required;
2. that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or any police officer; and
3. that the petitioners shall not leave India without previous permission of Court.

(J.R. Goyal),J.

VS Shekhawat/-
Jr.P.A.